

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53272 of 2019

Arising Out of PS. Case No.-291 Year-2019 Thana- BAGHA District- West Champaran

Parash Bhar @ Paras Bhar, Son of Late Tahal Bhar @ Sahal Bhar, Resident of Village- Tonwa Tribhuwani, P.S.- Bagaha (Bhairoganj), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-08-2019 This is an application for grant of anticipatory bail in connection with Bagaha (Bhairoganj) P.S. Case No. 291 of 2019, disclosing offences under Sections 272, 273 of IPC and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation of recovery of 17.500 liters of country made liquor from the hut of the petitioner, which will appear from the F.I.R. as well as seizure list.

Submission of the learned counsel for the petitioner is that the hut is not of the petitioner. Only on the basis of confessional statement of the local persons as alleged, he said that hut belongs to the petitioner and he has no criminal antecedent and he is residing at some other place

Heard learned A.P.P. also, who has opposed the prayer for bail stating that liquor was not recovered from the hut, which



will appear from the seizure list as well as F.I.R. and as such, there is *prima facie* case against the petitioner

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move before the learned court below for regular bail, which will be considered by the learned court below on its own without being prejudiced by order of this Court, and if possible, be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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